

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

RALPH WILSON LINGO, #190083,	)	
	)	
Petitioner,	)	
	)	
v.	)	CIVIL ACTION NO. 1:06-CV-703-MHT
	)	
STATE OF ALABAMA, et al.,	)	
	)	
Respondents.	)	

**ORDER ON MOTIONS**

On October 23, 2007, the petitioner filed a motion to dismiss sheriff Herbie Johnson as a respondent (Court Doc. No. 33) and a motion to add warden John Cummins as a respondent (Court Doc. No. 34). Upon review of these documents, the court construes the documents as motions to substitute warden John Cummins for sheriff Herbie Johnson as Cummins is the proper custodial respondent. Upon consideration of the motions to substitute, and for good cause, it is

ORDERED that these motions be and are hereby GRANTED. It is further

ORDERED that warden John Cummins be substituted for sheriff Herbie Johnson as a respondent in this cause of action.

Done this 23rd day of October, 2007.

/s/ Charles S. Coody  
CHARLES S. COODY  
CHIEF UNITED STATES MAGISTRATE JUDGE